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FEB 6, 2007

Director's Office
Office of Patent Publication

In re Application of:

BURKE, BERTRAM V. :

Application No. 10/823,850 :

Filed: April 14, 2004 :

Attorney's Docket No. 1357-13U :

The Notice Of Rescinded Abandonment mailed January 24, 2007, rescinding the Notice of Abandonment mailed December 12, 2006 is **VACATED**.

The Petition Under 37 C.F.R. §1.181(a) To Withdraw Holding Of Abandonment, received in the USPTO on December 22, 2006 should not have been rescinded because of non-response of the New Notice of Allowance mailed August 11, 2006 in lieu of the RCE mailed in on May 12, 2006. A letter requesting that the issue fee payment on May 15, 2006 should have been sent to apply to the new Issue Fee due November 11, 2006.

Applicant may seek relief by filing a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an **unavoidable** abandoned application
- Under 37 CFR 1.137(b), a petition for the revival of an **unintentionally** Abandoned application



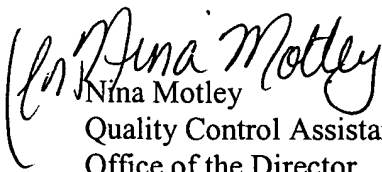
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Further inquiries with respect to filing a petition under 37 CFR § 1.137 may be directed to the Office of Petitions at 571-272-3282 or addressed as follows:

By mail:

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Office of Petitions
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